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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,038	12/20/2000	Ko Yoshida	P 275508 58264-US-JSJ	6199

7590 11/07/2002
OLIFF & BERRIDGE, PLC
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Alexandria, VA 22320

EXAMINER

LAM, THANH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/740,038

Applicant(s)
Yoshida et al.

Examiner
Thanh Lam

Art Unit
2834



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 10, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-18 is/are pending in the application.
- 4a) Of the above, claim(s) 4-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1,3 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umeda et al. in view of Ishihara et al. (JP 406225485A).

Umeda et al. disclose a rotary electric machine comprising: a frame (4) having an air opening (43,44) through which air flows; a stator core (32) disposed to be supported in the frame, the stator core having a plurality of slots (35); a stator winding including a plurality of conductor segments each of which is formed into an approximate U-shape (33) having a pair of leg parts

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(33a,33b, fig. 4), the stator winding being inserted into the stator core through the slots to have both coil ends (31) protruding from both ends of the stator core, respectively; a rotor (3) disposed opposite to the stator core to be rotatable; a cooling fan (11) for blowing air toward the both coil ends of the stator winding; and wherein: the conductor segments (33a-b) are inserted into the slots (35) of the stator core in such a manner that, the leg parts of each conductor segment penetrate through the slots from one end of the stator core to the other end thereof, and are connected at top ends; and the conductor segments are arranged to have a predetermined clearance (see fig. 2) between adjacent two thereof at the both coil ends of the stator winding, into which air blown by the cooling fan flows.

Umeda et al. do not disclose an elastic member disposed between the stator core and the frame to be inserted therebetween, wherein the stator core is elastically held in the frame through the elastic member; and the elastic member has an outer peripheral surface press-contacting an inner peripheral surface of the frame, and an inner peripheral surface press-contacting an entire outer peripheral surface of the stator core.

Ishuhara et al. disclose an elastic member (15) disposed between the stator core (13) and the frame (16) to be inserted therebetween, the stator core is elastically held in the frame through the elastic member; and the elastic member has an outer peripheral surface press-contacting an inner peripheral surface of the frame (16), and an inner peripheral surface press-contacting an entire outer peripheral surface of the stator core (13). The elastic member is arranged for the purpose of damping.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify and utilize the stator core and the frame as taught by Umeda et al. and insert the elastic member of Ishuhara et al. in therebetween to improve damping, reduce vibration and noise of the alternator.

Regarding claim 3, it is noted that Ishihara et al. disclose the stator core is disposed around the rotor to have a cylindrical outer surface; and the elastic member is made of a rubber, and is formed into a cylindrical shape.

Regarding claim 18, it is noted that Ishihara et al. disclose the entire outer peripheral surface of the stator core is generally separated from the inner peripheral surface of the frame by the elastic member.

Response to Arguments

3. Applicant's arguments with respect to amended claims 1, 3, and new added claim 18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3431.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.



Thanh Lam

Patent Examiner

Nov. 4, 2002